



DEPARTMENT OF COMMERCE  
Foreign-Trade Zones Board  
[Docket 81-2011]

Foreign-Trade Zone 99 – Wilmington, Delaware  
Application for Reorganization and Expansion under Alternative Site Framework

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the State of Delaware (grantee of FTZ 99), through the Delaware Economic Development Office, requesting authority to reorganize and expand the zone under the alternative site framework (ASF) adopted by the Board (74 FR 1170, 1/12/09 (correction 74 FR 3987, 1/22/09); 75 FR 71069-71070, 11/22/10). The ASF is an option for grantees for the establishment or reorganization of general-purpose zones and can permit significantly greater flexibility in the designation of new “usage-driven” FTZ sites for operators/users located within a grantee’s “service area” in the context of the Board’s standard 2,000-acre activation limit for a general-purpose zone project. The application was submitted pursuant to the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on December 19, 2011.

FTZ 99 was approved by the Board on April 27, 1984 (Board Order 248, 49 FR 19368, 05/07/84). The current zone project includes the following site: Site 1 (309 acres) – Port of Wilmington, 1 Hausel Road, Wilmington.

The grantee’s proposed service area under the ASF would be New Castle, Kent and Sussex Counties as described in the application. If approved, the grantee would be able to serve sites throughout the service area based on companies’ needs for FTZ designation. The proposed service area is within and adjacent to the Wilmington Customs and Border Protection port of entry.

The applicant is requesting authority to reorganize and expand its existing zone project to include Site 1 as a “magnet” site. In addition, the applicant is requesting approval of the following new “usage-driven” site: Proposed Site 2 (142 acres), Fisker Automotive, Inc., 801 Boxwood Road, Wilmington (New Castle County).

The ASF allows for the possible exemption of one magnet site from the “sunset” time limits that generally apply to sites under the ASF, and the applicant proposes that Site 1 be so exempted. Because the ASF only pertains to establishing or reorganizing a general-purpose zone, the application would have no impact on FTZ 99’s authorized subzones.

In accordance with the Board’s regulations, Kathleen Boyce of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board’s Executive Secretary at the address below. The closing period for their receipt is *[insert 60 days from date of publication]*. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to March 7, 2012.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce,

1401 Constitution Avenue NW, Washington, DC 20230-0002, and in the “Reading Room” section of the Board’s website, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz). For further information, contact Kathleen Boyce at [Kathleen.Boyce@trade.gov](mailto:Kathleen.Boyce@trade.gov) or (202) 482-1346.

Dated: December 19, 2011

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Andrew McGilvray  
Executive Secretary

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